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In these four cases, we believe that sufficient color of claims for political asylum exist so that a full hearing by the Immigration Service is required before these Haitians are returned from territories under the control of the United States. If it is possible for Immigration officers to travel to Guantanamo Naval Base and apply all of the procedures normally carried out with respect to aliens in the United States in the case of these four Haitians without bringing them physically to the U.S., this might prove a satisfactory solution to the problem. This, however, may well take considerable time to complete, and we understand the Secretary of the Navy believes there are compelling reasons why these individuals should not be allowed to remain at Guantanamo indefinitely.

I would like to point out to you that the admission of Haitians from Guantanamo is not without precedent. In September of 1972 the United States Government paroled from Guantanamo twelve Haitians who arrived at the Naval Base due to a breakdown in their sailing vessel. This parole was clearly stated not to be an indication that the group was seen as political asylees and that they were being brought only temporarily to the United States. The Department of State subsequently recommended that in its opinion, those Haitians could be returned to Haiti without fearing persecution by that Government.

It was for these reasons that we originally recommended parole in this case. Stressing once again my intention only to recommend temporary parole while these cases are processed for a final claim of asylum or for deportation as the case may be, the Department once again recommends, as in the public interest, the parole of these four Haitian nationals.

Sincerely,

D/HA:ORM:SCLowman:caf
9/30/77

Patricia M. Derian
Assistant Secretary for Human
Rights and Humanitarian Affairs

Clearances:
ARA - Mr. DeSantillana
ORM - Mr. Arthur